

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

TIFFANI ANDERSON, BARBARA LEACH, CATHY MCGRUDER, DWANA ESLINGER, JUDITH SHAW, KIMBERLY LANTZ, LAUREN SANDBERG, NICKI MAHOOD, REBECCA VENABLE, and SHIRLEY COLLAZO, individually and on behalf of all others similarly situated, individually and on behalf of all others similarly situated,

Plaintiff,

v.

HEARST COMMUNICATIONS, INC.,

Defendant.

**ORDER AND  
STIPULATION TO  
CONSOLIDATION**

Case No. 21-cv-08895-RA

JOAN BURKE, individually and on behalf of all others similarly situated,

Plaintiff,

v.

HEARST COMMUNICATIONS, INC.,

Defendant.

Case No. 21-cv-08994-ER

MARIBEL RAMIREZ and MARICARMEN OCASIO, individually and on behalf of all others similarly situated,

Plaintiff,

v.

HEARST COMMUNICATIONS, INC.,

Defendant.

Case No. 21-cv-09109-LGS

JOYCE HICKS and STEPHEN GOLDBERGER, individually and on behalf of all others similarly situated,

Plaintiff,

Case No. 21-cv-09093-PAE

v.

HEARST COMMUNICATIONS, INC.,

Defendant.

BELINDA POWERS, individually and on behalf of all  
others similarly situated,

Plaintiff,

v.

HEARST COMMUNICATIONS, INC.,

Defendant.

Case No. 21-cv-09198-PAE

DAWN BEGIN, individually and on behalf of all others  
similarly situated,

Plaintiff,

v.

HEARST COMMUNICATIONS, INC.,

Defendant.

Case No. 21-cv-09224-PAE

CATHY RICKETTS, individually and on behalf of all  
others similarly situated,

Plaintiff,

v.

HEARST COMMUNICATIONS, INC.,

Defendant.

Case No. 21-cv-09278-PAE

MAGDA LOPEZ, individually and on behalf of all others  
similarly situated,

Plaintiff,

v.

Case No. 21-cv-09334-LGS

HEARST COMMUNICATIONS, INC.,

Defendant.

WILLIAM MARTIN, individually and on behalf of all  
others similarly situated,

Plaintiff,

v.

HEARST COMMUNICATIONS, INC.,

Defendant.

Case No. 21-cv-09624-ER

Plaintiffs Tiffani Anderson, Barbara Leach, Cathy McGruder, Dwana Eslinger, Judith Shaw, Kimberly Lantz, Lauren Sandberg, Nicki Mahood, Rebecca Venable, Shirley Collazo, Joan Burke, Maribel Ramirez, Maricarmen Ocasio, Joyce Hicks, Stephen Goldberger, Belinda Powers, Dawn Begin, Cathy Ricketts, Magda Lopez, and William Martin (collectively, “Plaintiffs”) and Defendant Hearst Communications, Inc. (“Hearst” and together with Plaintiffs “the Parties”) hereby stipulate as follows:

1. On October 29, 2021, Plaintiff Anderson initiated her action against Hearst pursuant to the Alabama’s Right of Publicity Act, Ala. Code § 6-5-770, *et seq.* with a Class Action Complaint. *Anderson v. Hearst Communications, Inc.*, Case No. 21-cv-08895-RA, Dkt. No. 1 (S.D.N.Y.).

2. On November 3, 2021, Plaintiff Burke initiated her action against Hearst pursuant to California’s Right of Publicity Law, Cal. Civ. Code § 3344, *et seq.*, with a Class Action Complaint. *Burke v. Hearst Communications, Inc.*, Case No. 21-cv-08994-ER, Dkt. No. 4 (S.D.N.Y.).

3. On November 3, 2021, Plaintiffs Ramirez and Ocasio initiated their action against Hearst pursuant to Puerto Rico's Right of Publicity Act, 32 L.P.R. § 3151, *et seq.*, with a Class Action Complaint. *Ramirez, et. al. v. Hearst Communications, Inc.*, No. 21-cv-09109-LGS, Dkt. No. 1 (S.D.N.Y.).

4. On November 3, 2021, Plaintiffs Hicks and Goldberger initiated their action against Hearst pursuant to Ohio's Right of Publicity Law, Ohio Rev. Code Ann. § 2741, *et seq.*, with a Class Action Complaint. *Hicks, et. al. v. Hearst Communications, Inc.*, No. 21-cv-09093-PAE, Dkt. No. 1 (S.D.N.Y.).

5. On November 8, 2021, Plaintiff Powers initiated her action against Hearst pursuant to South Dakota's Right of Publicity Law, S.D. Codified Laws § 21-64-1, *et seq.*, with a Class Action Complaint. *Powers v. Hearst Communications, Inc.*, No. 21-cv-09198-PAE, Dkt. No. 1 (S.D.N.Y.).

6. On November 8, 2021, Plaintiff Begin initiated her action against Hearst pursuant to Ohio's Right of Publicity Law, Ohio Rev. Code Ann. § 2741, *et seq.*, with a Class Action Complaint. *Begin v. Hearst Communications, Inc.*, No. 21-cv-09224-UA, Dkt. No. 1 (S.D.N.Y.).

7. On November 9, 2021, Plaintiff Ricketts initiated her action against Hearst pursuant to South Dakota's Right of Publicity Law, S.D. Codified Laws § 21-64-1, *et seq.*, with a Class Action Complaint. *Ricketts v. Hearst Communications, Inc.*, No. 21-cv-09278-PAE, Dkt. No. 1 (S.D.N.Y.).

8. On November 11, 2021, Plaintiff Lopez initiated her action against Hearst pursuant to Puerto Rico's Right of Publicity Act, 32 L.P.R. § 3151, *et seq.*, with a Class Action Complaint. *Lopez v. Hearst Communications, Inc.*, No. 21-cv-09334-LGS, Dkt. No. 1 (S.D.N.Y.).

9. On November 19, 2021, Plaintiff Martin initiated his action against Hearst pursuant to California's Right of Publicity Law, Cal. Civ. Code § 3344, *et seq.*, with a Class Action Complaint. *Martin v. Hearst Communications, Inc.*, No. 21-cv-09624-ER-GWG, Dkt. No. 1 (S.D.N.Y.).

10. On December 7, 2021, Plaintiff Anderson amended her complaint to add Plaintiffs Leach, McGruder, Eslinger, Shaw, Lantz, Sandberg, Mahood, Venable, and Collazo, and to bring claims pursuant to Right of Publicity statutes for Alabama, California, Hawaii, Indiana, Nevada, Ohio, Puerto Rico, South Dakota, and Washington. *See Anderson*, Case No. 21-cv-08895-RA at Dkt. No. 26; *see also* Ala. Code § 6-5-7701; Cal. Civ. Code § 3344; Haw. Rev. Stat. Ann. § 482P-1; IC 32-26-1-1; Nev. Rev. Stat. Ann. § 597.770; Ohio Rev. Code Ann. § 2741.01; 32 L.P.R. § 3151; S.D. Codified Laws § 21-64-1; RCW 63.60.010.

11. After meeting and conferring, counsel for Plaintiffs and counsel for Hearst have agreed that the *Anderson*, *Burke*, *Ramirez*, *Hicks*, *Powers*, *Begin*, *Ricketts*, *Lopez*, and *Martin* actions should be consolidated for pretrial purposes before Judge Abrams who is presiding over *Anderson*, given that *Anderson* is the first-filed action. Specifically, the Parties agree that each of the cases under this stipulation asserts claims against Hearst under a state right-of-publicity statute targeting the same central facts. While the statutes are not identical, and there may be factual issues and defenses unique to certain plaintiffs, the statutes are substantially similar and will include overlapping issues of law and overlapping (if not identical) discovery from Hearst.

12. Accordingly, the Parties hereby stipulate to the consolidation of the *Anderson*, *Burke*, *Ramirez*, *Hicks*, *Powers*, *Begin*, *Ricketts*, *Lopez*, and *Martin* actions.

13. The Parties further stipulate that the consolidated actions should be re-captioned as the following:

*In re Hearst Communications State Right of Publicity  
Statute Cases*

Case No. 21-cv-08895-RA

14. The Parties further stipulate to the following case schedule:
- a. Plaintiffs shall file a Consolidated Amended Class Action Complaint on or before ~~January 14, 2021~~ <sup>2022</sup>;
  - b. Hearst shall answer or otherwise respond to the Consolidated Amended Class Action Complaint on or before 30 days from the filing of the Consolidated Amended Class Action Complaint [];
  - c. Plaintiffs shall file any opposition on or before 30 days from the filing of any motion to dismiss.
  - d. Hearst shall file any reply on or before 20 days from filing of Plaintiffs' opposition.
  - e. All other deadlines, conferences, and/or hearings shall be vacated.

**IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD FOR PLAINTIFFS.**

Dated: December 20, 2021

Respectfully submitted,



Philip L. Fraietta



Frank S. Hedin



Andrea R. Butler

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SO ORDERED this 4th day of January, 2022.



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HON. RONNIE ABRAMS